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*Baranof I*  
UNITED STATES OF AMERICA  
FEDERAL POWER COMMISSION

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HEADQUARTERS  
JUNEAU

MINIMUM FLOW RELEASES

Before Commissioners: Charles B. Curtis, Chairman;  
Don S. Smith, and Georgiana Sheldon.

City and Borough of Sitka, )  
Alaska )

Project No. 2230 **HABITAT  
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SEP 16 1977

ORDER AMENDING LICENSE  
(Issued September 7, 1977)

The City and Borough of Sitka, Alaska (Sitka), is  
Licensee of the Blue Lake Project, FPC Project No. 2230, **REGION I  
JUNEAU**  
which is located on the Medvetcha River on Baranof Island,  
Alaska. On December 27, 1976, Sitka filed an application  
to amend the license to provide minimum flow releases  
different from those required by the license at present.

By this order we grant the amendment, as further  
discussed below.

Background

The license for Project No. 2230 was issued to Sitka  
on April 24, 1958. 1/ Article 28 of that license provided  
as follows:

The Licensee shall, during project development  
and operation, maintain a minimum flow of not  
less than 50 c.f.s. at all times in Medvetcha  
River below the site of the proposed powerhouse  
to sustain the existing downstream fishery  
resources. 2/

During 1973 and 1974 a conflict arose between the maintenance  
of stream flows to protect fishery resources in the river and  
Sitka's need to maximize the project's potential for power  
generation. In December, 1973, Sitka requested temporary  
authorization to reduce the required minimum flow to 15 cfs

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1/ City of Sitka, Alaska, Project No. 2230, 19 F.P.C. 579 (1958).

2/ Id. at 582.

because water storage in the reservoir was low and limited amounts of diesel fuel were on hand for alternative generation of power. The Commission granted and subsequently extended the temporary authorizations, pending action on an application filed by Sitka, to discontinue any water releases for a period of five years.

In an order issued on April 30, 1974, 3/ the Commission provided the following:

1. Sitka was authorized to continue releasing a minimum of 15 cfs through May 31, 1974;
2. Sitka was required to install a release valve at the project capable of controlling releases from zero to 50 cfs; and
3. Sitka was ordered to conduct a study, in cooperation with the Department of the Interior's Bureau of Sport Fisheries and Wildlife 4/ and the State Department of Fish and Game, to determine whether a minimum release of 50 cfs best reflected a satisfactory balance between the maintenance of downstream fishery resources and efficient hydroelectric power generation. The study was to be filed with the Commission no later than December 31, 1976.

Sitka filed a report on the study on November 5, 1976, and the instant application to amend the license for Project No. 2230 on December 27, 1976.

#### The Study

The report, which notes that increased demand for hydroelectric power in the area, water requirements of a nearby pulp mill, and the amount of water necessary to maintain suitable fish habitat have exceeded the storage volume of the project's reservoir, summarizes spawning and rearing activities of salmonids, discusses natural streamflow patterns on the river, and analyzes the water requirements to maintain the fishery.

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3/ The City and Borough of Sitka, Alaska, Project No. 2230, 51 F.P.C. 1426 (1974).

4/ Now the U.S. Fish and Wildlife Service.

The report recommends that Sitka maintain the following minimum releases from the diversion valve: 22 cfs from January to April, inclusive; 50 cfs from May to November; and 37 cfs in December. According to the report, this streamflow cycle, with the addition of runoff received from tributaries, approximately duplicates the historical low runoff for each month during the year.

Sitka and the State Department of Fish and Game are in agreement that the recommendation in the report should be adopted. The U.S. Fish and Wildlife Service, commenting on the report, stated its belief that the recommendations embody "the best reasonable compromise for protecting the welfare of the fishery resource and maintaining the power needs of the community . . ."

#### Environmental Considerations

Adoption of the report's recommendations would approximately reestablish the historical flow pattern of the river as it existed prior to reconstruction of the project. The flows would restore and maintain the habitat of salmonids in the river, and to that extent will have a beneficial impact. At the same time, reduction of the releases (now specified at 50 cfs) for the months December through April will increase the amount of water stored in the reservoir that will be available for generation, thus decreasing Sitka's use of diesel generators by a proportional amount. No construction or alterations of project structures is necessary or proposed. For these reasons, we find that our approval of the instant application does not constitute a major federal action significantly affecting the quality of the human environment. Therefore, a detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. §4332(2)(C), is not required.

#### Public Notice

Public notice of the instant application was given on February 16, 1977, and published in the Federal Register, 42 Fed. Reg. 10725 (Feb. 23, 1977). March 30, 1977, was given as the last day for filing protests or petitions to intervene. None has been received.

#### Conclusion

Sitka has in a timely manner filed the flow release study required by the Commission's order of April 30, 1974. We find it appropriate and in the public interest to adopt the recommendations of the report with respect to flow releases, with the

concurrence of Sitka, the Department of Fish and Game, and the U.S. Fish and Wildlife Service.

Sitka also requested as part of its application to amend the license for Project No. 2230, that the State Department of Fish and Game be authorized to lower the flow requirements during critical periods, if required. To retain our responsibility in this manner, our amendment of Article 28 of this license provides that the Commission may order a reduction in discharges on its own motion, or at the request of the Department of Fish and Game or the U.S. Fish and Wildlife Service.

The Commission finds:

(1) The City and Borough of Sitka has complied in a timely manner with Paragraph (C) of the Commission's order issued April 30, 1974, 51 F.P.C. 1426 (1974).

(2) Amendment of the license for the Blue Lake Project, FPC Project No. 2230, to provide for revised minimum flow releases does not constitute a major federal action significantly affecting the quality of the human environment.

(3) It is appropriate for the purposes of the Federal Power Act and in the public interest that the license for Project No. 2230 be amended in the manner provided by the ordering paragraph below.

The Commission orders:

(A) Article 28 of the license for Project No. 2230 is hereby replaced by the following new article:

Article 28. The Licensee shall discharge continuous minimum flows from the flow release valve for the periods specified as follows:

January through April	May through November	December
22 cfs	50 cfs	37 cfs

Provided, That the Commission on its own motion or at the request of the Alaska Department of Fish and Game or the U.S. Fish and Wildlife Service, may require Licensee to reduce the discharges specified above, if

required to protect the health and welfare of the citizens of Sitka, Alaska.

(B) This order shall become final within 30 days from the date of its issuance unless application for rehearing shall be filed as provided in Section 313(a) of the Federal Power Act, and failure to file such an application shall constitute acceptance of this order. In acknowledgment of acceptance of this order, it shall be signed for the Licensee and returned to the Commission within 60 days from the date of issuance of this order.

By the Commission.

( S E A L )

Kenneth F. Plumb,  
Secretary.

Project No. 2230

IN TESTIMONY of its acknowledgment of acceptance of all the provisions, terms and conditions of the Order Amending License for Project No. 2230, the Town and Borough of Sitka, Alaska, this \_\_\_\_ day of \_\_\_\_\_, 1977, has caused its corporate name to be signed hereto by \_\_\_\_\_, its City Manager, and its corporate seal to be affixed hereto and attested by \_\_\_\_\_, its \_\_\_\_\_ Secretary, pursuant to a resolution of its Council duly adopted on the \_\_\_\_ day of \_\_\_\_\_, 1977, a certified copy of the record of which is attached hereto.

By \_\_\_\_\_

City Manager

Attest:

\_\_\_\_\_

Secretary

(Executed in quadruplicate)